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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,926	11/30/2001	Shawn P. Delany	OBLX-01028US0	4296

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EXAMINER

JEAN GILLES, JUDE

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/998,926

Applicant(s)

DELANY ET AL.

Examiner

Jude J. Jean-Gilles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2001.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-47 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 30 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03/15/2004, 02/28/02, 07/03/03
03/17/04, 03/14/05
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

This office action is responsive to communication filed on 11/30/2001. Claimed priority is granted from Provisional application 60258087 with a priority date of 12/22/2000.

Information Disclosure Statement

1. The references listed on the Information Disclosure Statements submitted on 03/14/2005, 03/17/2004, 03/15/2004, 02/28/2002, and 07/03/2003 have been considered by the examiner (see attached PTO-1449A).

Double Patenting Rejections

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 1-47 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-34 of copending Application No. 09/999,177. Although the conflicting claims are not identical, they are not patentably distinct from each other because of the noticed problems below, which are just exemplary :

Claims 1-3 of Application # 09/999,177 contains every element of **claims 1-3** of the instant application and as such anticipates **claim 1-3** of the instant application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-47** are rejected under 35 U.S.C. 102(e) as being anticipated by Hayes (Hayes), Patent No. 6,105,066.

Regarding **claim 1**, Hayes discloses a method for determining members of a group, comprising the steps of: determining nested members of a first group; and reporting said nested members of said first group (column 20, lines 16-51; column lines 36-67; fig. 22, and 23).

Regarding **claim 2**, Hayes discloses a method according to claim 1, wherein: said nested members include members of multiple levels of nested groups (column 20, lines 16-51; fig. 22 and 23).

Regarding **claim 3**, Hayes discloses a method according to claim 1, wherein: said step of determining nested members includes recursively determining members of group members (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

Regarding **claim 4**, Hayes discloses a method according to claim 1, wherein said step of determining nested members includes the steps of: determining all static group members of said first group; determining all static and dynamic members of said group members of said first group (column 20, lines 16-51; fig. 22 and 23); determining all group members of said group members of said first group (column 20, lines 16-51; fig. 22 and 23; column 8, lines 39-43); and determining all static and dynamic members of said group members of said group members of said first group (column 20, lines 16-51; fig. 19, items 22 and 23).

Regarding **claim 5**, Hayes discloses a method according to claim 1, further comprising the steps of: determining dynamic members of said first group; and reporting said dynamic members of said first group (column 20, lines 16-51; fig. 19, items 22 and 23).

Regarding **claim 6**, Hayes discloses a method according to claim 5, wherein: said first group and nested groups of said first group include rules defining criteria for being dynamic members (column 20, lines 16-51; fig. 19, items 22 and 23).

Regarding **claim 7**, Hayes discloses a method according to claim 6, wherein said step of determining dynamic members includes the steps of: determining a normalized set of said rules; and determining which users are defined by said normalized set of said rules, said users defined by said normalized set of said rules are said dynamic members of said first group (column 20, lines 16-51; fig. 19, items 22 and 23).

Regarding **claim 8**, Hayes discloses a method according to claim 5, further comprising the steps of: storing an identification of said nested members and said

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dynamic members in one or more attributes of said first group (column 20, lines 16-51; column 8, lines 32-55; fig. 19, items 22 and 23); and reporting said nested members and said dynamic members from said one or more attributes of said first group, without repeating said steps of determining dynamic members and determining nested members, in response to a request for members of said first group (column 17, lines 5-35).

Regarding **claim 9**, Hayes discloses a method according to claim 5, further comprising the steps of: storing an identification of said nested members and said dynamic members in a static member attribute of said first group (column 20, lines 16-51; column 8, lines 32-55; fig. 19, items 22 and 23); and reporting said nested members and said dynamic members from said static member attribute of said first group, without repeating said steps of determining dynamic members and determining nested members, in response to a request for members of said first group (column 17, lines 5-35).

Regarding **claim 10**, Hayes discloses a method according to claim 1, further comprising the steps of: determining static members of said first group; determining dynamic members of said first group; and reporting said static members and said dynamic members of said first group (column 20, lines 16-51; column 8, lines 32-55; fig. 19, items 22 and 23; column 17, lines 5-35).

Regarding **claim 11**, Hayes discloses a method according to claim 10, wherein: said nested members include members of multiple levels of nested groups; and said step of determining nested members includes recursively determining members of

group members (column 20, lines 16-51; column 8, lines 32-55; fig. 19, items 22 and 23; column 17, lines 5-35).

Regarding **claim 12**, Hayes discloses a method according to claim 11, wherein: said first group and nested groups of said first group include rules defining criteria for being dynamic members; and said step of determining dynamic members includes determining a normalized set of said rules and determining which users are defined by said normalized set of said rules, said users defined by said normalized set of said rules are said dynamic members of said first group (column 20, lines 16-51; column 8, lines 32-55; fig. 19, items 22 and 23; column 17, lines 5-35).

Regarding **claim 13**, Hayes discloses a method according to claim 10, wherein: said nested members include members of multiple levels of nested groups; and said steps of determining nested members, determining static members and determining dynamic members are performed by an integrated identity and access system (column 20, lines 16-51; column 8, lines 32-55; fig. 19, items 22 and 23; column 17, lines 5-35).

Regarding **claim 14**, Hayes discloses a method according to claim 13, wherein: said integrated identity and access system is capable of performing authorization services based on membership in said first group (column 20, lines 16-51; column 8, lines 32-55; fig. 19, items 22 and 23; column 17, lines 5-35).

Regarding **claim 15**, Hayes discloses a method for identifying members of a group, comprising the steps of: determining dynamic members of a first group; storing an identification of each of said dynamic members of said first group (column 20, lines 16-51; column lines 36-67; fig. 22, and 23); receiving a request to report members of

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said first group, said request is received subsequent to said step of storing (column 20, lines 16-51; column lines 36-67; fig. 22, and 23); and reporting said dynamic members of said first group in response to said request, said reporting of said dynamic members is performed based on said stored identification of said dynamic members (column 20, lines 16-51; column 8, lines 32-55; fig. 19, items 22 and 23).

Regarding **claim 16**, Hayes discloses a method according to claim 15, wherein: said first group includes one or more static members; an identification of each of said static members is stored in a static member attribute for an identity profile of said first group; and said identification of each of said dynamic members is stored in said static member attribute for said identity profile of said first group (column 20, lines 16-51; column 8, lines 32-55; fig. 19, items 22 and 23).

Regarding **claim 17**, Hayes discloses a method according to claim 15, wherein: said first group includes one or more static members; an identification of each of said static members is stored in a static member attribute for an identity profile of said first group; said identity profile of said first group also includes an expansion attribute; and said method can only be performed if said expansion attribute includes an appropriate value (column 20, lines 16-51; column 8, lines 32-55).

Regarding **claim 18**, Hayes discloses a method according to claim 17, wherein: said identity profile of said first group also includes a dynamic rule attribute which stores a rule that defines dynamic membership for said first group; and said method can only be performed for an entity having access to said expansion attribute and said dynamic rule attribute (column 20, lines 16-51; column 8, lines 32-55; fig. 19, items 22 and 23).

Regarding **claim 19**, Hayes discloses a method according to claim 15, wherein: said steps of determining and storing are automatically repeated (column 20, lines 16-51; column 18, lines 36-67).

Regarding **claim 20**, Hayes discloses a method according to claim 15, wherein: said steps of determining, storing and receiving are performed by an integrated identity and access system (column 20, lines 16-51; column 8, lines 32-55).

Regarding **claim 21**, Hayes a method according to claim 20, wherein: said integrated identity and access system is capable of performing authorization services based on membership in said first group (column 20, lines 16-51; column 8, lines 32-55; column 6, lines 21-67).

Regarding **claim 22**, Hayes a method according to claim 15, further comprising the steps of: determining nested members of said first group; and storing an identification of each of said nested members of said first group, said step of reporting includes reporting said nested members based on said stored identification of said nested members (column 20, lines 16-51; column 8, lines 32-55; column 6, lines 21-67).

Regarding **claim 23**, Hayes a method according to claim 22, wherein: said nested members include members of multiple levels of nested groups (column 20, lines 16-51; column 8, lines 32-55; column 6, lines 21-67).

Regarding **claim 24**, Hayes a method according to claim 22, wherein: said step of determining nested members includes recursively determining members of group members (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

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Regarding **claim 25**, Hayes a method according to claim 22, wherein: said first group includes one or more static members; and said step of reporting includes reporting said static members (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

Regarding **claim 26**, Hayes a method according to claim 15, wherein said step of determining nested members includes the steps of: determining all static group members of said first group; determining all static and dynamic members of said static group members of said first group (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31); determining all static group members of said static group members of said first group; and determining all members of said static group members of said static group members of said first group (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

Regarding **claim 27**, Hayes a method according to claim 15, wherein: said first group and nested groups of said first group include rules defining criteria for being dynamic members; and said step of determining dynamic members includes the steps of determining a normalized set of said rules and determining which users are defined by said normalized set of said rules, said users defined by said normalized set of said rules are said dynamic members of said first group (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31)..

Regarding **claim 28**, Hayes a method according to claim 15, wherein: said first group includes one or more static members; and said step of reporting includes

reporting said static members (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

Regarding **claim 29**, Hayes one or more processor readable storage devices having processor readable code embodied on said processor readable storage devices, said processor readable code for programming one or more processors to perform a method comprising the steps of: determining nested members of a first group; and reporting said nested members of said first group (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

Regarding **claim 30**, Hayes one or more processor readable storage devices according to claim 29, wherein: said nested members include members of multiple levels of nested groups (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

Regarding **claim 31**, Hayes one or more processor readable storage devices according to claim 29, wherein: said step of determining nested members includes recursively determining members of group members (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

Regarding **claim 32**, Hayes one or more processor readable storage devices according to claim 29, wherein said method further comprises the steps of: determining static members of said first group; determining dynamic members of said first group; and reporting said static members and said dynamic members of said first group (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

Regarding **claim 33**, Hayes one or more processor readable storage devices according to claim 32, wherein: said nested members include members of multiple levels of nested groups; said step of determining nested members includes recursively determining members of group members (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31); said first group and nested groups of said first group include rules defining criteria for being dynamic members; and said step of determining dynamic members includes determining a normalized set of said rules and determining which users are defined by said normalized set of said rules, said users defined by said normalized set of said rules are said dynamic members of said first group (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

Regarding **claim 34**, Hayes one or more processor readable storage devices according to claim 32, wherein: said nested members include members of multiple levels of nested groups; and said steps of determining nested members, determining static members and determining dynamic members are performed by an integrated identity and access system (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

Regarding **claim 35**, Hayes one or more processor readable storage devices having processor readable code embodied on said processor readable storage devices, said processor readable code for programming one or more processors to perform a method comprising the steps of: determining dynamic members of a first group (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31); storing an

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identification of each of said dynamic members of said first group; and receiving a request to report members of said first group, said request is received subsequent to said step of storing (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31); and reporting said dynamic members of said first group in response to said request, said reporting of said dynamic members is performed based on said stored identification of said dynamic members (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

Regarding **claim 36**, Hayes one or more processor readable storage devices according to claim 35, wherein: said first group includes one or more static members; and said step of reporting includes reporting said static members (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

Regarding **claim 37**, Hayes one or more processor readable storage devices according to claim 36, wherein: said steps of determining and storing are automatically repeated (column 20, lines 16-51; column 18, lines 36-67).

Regarding **claim 38**, Hayes one or more processor readable storage devices according to claim 36, wherein: said steps of determining, storing and receiving are performed by an integrated identity and access system (column 20, lines 16-51; column 8, lines 32-55).

Regarding **claim 39**, Hayes one or more processor readable storage devices according to claim 36, wherein said method further comprises the steps of: determining nested members of said first group, said nested members include members of multiple levels of nested groups (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48;

column 8, lines 1-31); and storing an identification of each of said nested members of said first group, said step of reporting includes reporting said nested members based on said stored identification of said nested members (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

Regarding **claim 40**, Hayes an apparatus that can determine members of a group, comprising: a communication interface; and one or more processor in communication with said communication interface, said one or more processor perform a method comprising the steps of: determining nested members of a first group, and reporting said nested members of said first group (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

Regarding **claim 41**, Hayes an apparatus according to claim 40, wherein: said nested members include members of multiple levels of nested groups (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

Regarding **claim 42**, Hayes an apparatus according to claim 41, wherein said method further comprises the steps of: determining static members of said first group; determining dynamic members of said first group; and reporting said static members and said dynamic members of said first group (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

Regarding **claim 43**, Hayes an apparatus according to claim 42, wherein: said first group and nested groups of said first group include rules defining criteria for being dynamic members; and said step of determining dynamic members includes determining a normalized set of said rules and determining which users are defined by

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said normalized set of said rules, said users defined by said normalized set of said rules are said dynamic members of said first group (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

Regarding **claim 44**, Hayes an apparatus that can determine members of a group, comprising: a communication interface; and one or more processor in communication with said communication interface, said one or more processor perform a method comprising the steps of: determining dynamic members of a first group, said first group includes one or more static members, storing an identification of each of said dynamic members of said first group, and receiving a request to report members of said first group, said request is received subsequent to said step of storing, and reporting said static members and said dynamic members of said first group in response to said request, said reporting of said dynamic members is performed based on said stored identification of said dynamic members (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31; fig. 2).

Regarding **claim 45**, Hayes an apparatus according to claim 44, wherein: said steps of determining and storing are automatically repeated (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

Regarding **claim 46**, Hayes an apparatus according to claim 44, wherein: said steps of determining, storing and receiving are performed by an integrated identity and access system (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

Regarding **claim 47**, Hayes an apparatus according to claim 44, wherein said method further comprises the steps of: determining nested members of said first group, said nested members include members of multiple levels of nested groups; and storing an identification of each of said nested members of said first group, said step of reporting includes reporting said nested members based on said stored identification of said nested members (column 20, lines 16-51; fig. 22 and 23; column 17, lines 36-48; column 8, lines 1-31).

Conclusion

6. Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914.

The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

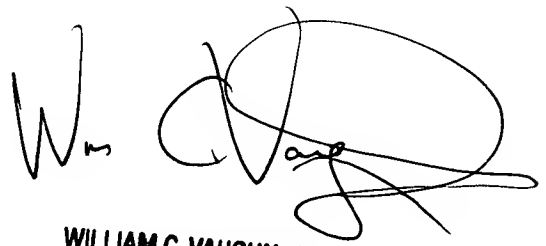
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3719.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Jude Jean-Gilles
Patent Examiner
Art Unit 2143

JJG

August 20, 2005



WILLIAM C. VAUGHN, JR.
PRIMARY EXAMINER